

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL MARCUS DILLARD,

Defendant.

1:18-cr-199

Hon. Janet T. Neff

**INDICTMENT
PENALTY SHEET**

COUNT 1 – Conspiracy to Commit Fraud and Aggravated Identity Theft – 18 U.S.C. § 371

Maximum Penalty: Not more than 5 years in prison and a fine of \$250,000 or the greater of twice the gross gain or gross loss [18 U.S.C. §§ 371; 18 U.S.C. § 3571(b)(3), (d)]

Supervised Release: Not more than 3 years [18 U.S.C. § 3583] (Class D Felony, 18 U.S.C. § 3559)

Special Assessment: \$100 [18 U.S.C. § 3013]

Restitution: Mandatory [18 U.S.C. § 3663A]

COUNT 2 – Access Device Fraud – 18 U.S.C. § 1029(a)(2)

Maximum Penalty: Not more than 10 years in prison and a fine of \$250,000 or the greater of twice the gross gain or gross loss [18 U.S.C. § 1029(c)(1)(A)(i); 18 U.S.C. § 3571(b)(3), (d)]

Supervised Release: Not more than 3 years [18 U.S.C. § 3583] (Class C Felony, 18 U.S.C. § 3559)

Special Assessment: \$100 [18 U.S.C. § 3013]

Restitution: Mandatory [18 U.S.C. § 3663A]

COUNT 3 – Possession of Stolen Mail – 18 U.S.C. § 1708

Maximum Penalty: Not more than 5 years in prison and a fine of \$250,000 [18 U.S.C. § 1708; 18 U.S.C. § 3571(b)(3)]

Supervised Release: Not more than 3 years [18 U.S.C. § 3583] (Class D Felony, 18 U.S.C. § 3559)

Special Assessment: \$100 [18 U.S.C. § 3013]

Restitution: Mandatory [18 U.S.C. § 3663A]

COUNTS 11-12 – Aggravated Identity Theft – 18 U.S.C. § 1028A(a)(1)

Maximum Penalty: A minimum and maximum of 2 years in prison, which must be served consecutively to any other prison sentence for the first conviction, and a \$250,000 fine [§1028A(a)(1), 18 U.S.C. § 3571(b)(3)]

Court has discretion to impose concurrent or consecutive sentence for each additional conviction [§ 1028A(b)(4)]

Supervised Release: Not more than 1 year [18 U.S.C. § 3583] (Class E Felony, 18 U.S.C. § 3559)

Special Assessment: \$100 [18 U.S.C. § 3013]

Restitution: Mandatory [18 U.S.C. § 3663A]

FORFEITURE

Date: September 18, 2018

/s/ Christopher M. O'Connor
Counsel for the United States

Submitted in accordance with Administrative Order 17-MS-046